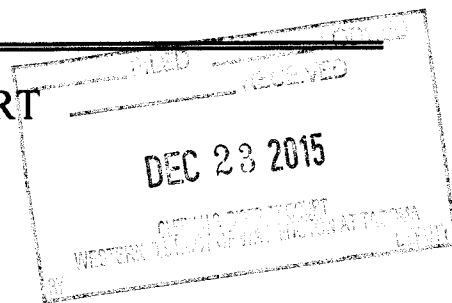


## UNITED STATES DISTRICT COURT

for the  
Western District of Washington

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

A query of the computer databases and archives of the  
Washington State Department of Licensing through their  
Facial Recognition System.

Case No. MJ15-5233

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

A query of the computer databases and archives of the Washington State Department of Licensing through their Facial Recognition System.

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

Any Washington Driver license, instruction permit, or identification card images that are similar to the individual pictured in WDL photo(s) # MAGANI\*234JE and SANCHSM226B5.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

*Code Section*  
 Title 21, United States Code,  
 Sections 841(a)(1) and 846.

*Offense Description*  
 Distribution of, and possession with intent to distribute, controlled substances  
 Conspiracy to distribute controlled substances.

The application is based on these facts:

SEE AFFIDAVIT OF SPECIAL AGENT CHARLES ROUNDS, INCORPORATED HEREIN.

☒ Continued on the attached sheet.

☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

CHARLES ROUNDS, SPECIAL AGENT, FBI

Printed name and title

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit on 23rd day of December, 2015.

Judge's signature

DAVID W. CHRISTEL, US MAGISTRATE JUDGE

Printed name and title

Date:

12/23/2015

City and state:

TACOMA, WASHINGTON

**AFFIDAVIT OF CHARLES E. ROUNDS**

STATE OF WASHINGTON     )  
  )     ss  
COUNTY OF CLARK         )

I, Charles E. Rounds, being first duly sworn on oath, depose and say:

**I. INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and have been so employed since August of 2010. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and I am empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code. I have received training in the enforcement of federal narcotics laws, and I have been involved in all aspects of narcotics trafficking investigations, including the debriefing of informants, surveillance, and analysis of documentary and physical evidence.

2. The information in this affidavit is drawn from information received from other law enforcement agents, public and state records, my experience and training, and the experience of other agents. The information contained in the affidavit does not include everything known to investigators.

3. Based on my training, experience, and conversations with other experienced narcotics investigators, I have gained knowledge in the techniques and methods used by drug traffickers to distribute controlled substances, and their use of various techniques to avoid detection and apprehension by law enforcement authorities. This includes the use of alternate or false identifications.

4. This Application is being presented by electronic means pursuant to Local Criminal Rule CrR41(d)(3).

**II. PURPOSE OF THIS AFFIDAVIT**

5. This affidavit is submitted in support of an order to conduct a query of the Facial Recognition System (FRS) of the Washington State Department of Licensing (DOL)

Affidavit of Special Agent Rounds - 1

UNITED STATES ATTORNEY  
1201 PACIFIC AVENUE, SUITE 700  
TACOMA, WASHINGTON 98402  
(253) 428-3800

1 database. The pertinent computer databases and archives of the Washington State  
 2 Department of Licensing are located at 1125 Washington Street SE, in Olympia,  
 3 Washington, 98507, within the Highways and Licenses Building. This query should be  
 4 used to identify any Washington Driver License (WDL), instruction permit, or identification  
 5 card images that are similar to the individual pictured in WDL photo(s) # MAGANI\*234JE  
 6 and SANCHSM226B5, in accordance with RCW 46.20.037. The images have both been  
 7 reviewed by your affiant and are known to be IGNACIO MAGANA (hereafter MAGANA),  
 8 who is currently under investigation for his involvement in the distribution of illegal  
 9 narcotics.

10 6. It is further requested that the resulting information gathered from the Facial  
 11 Recognition query be shared with your affiant, therefore allowing the use and disclosure of  
 12 the facial recognition matching system in the investigation of MAGANA.

13 7. For the reasons stated herein, there is probable cause that the following  
 14 offenses have been committed and are being committed by MAGANA:

15 a. Distribution of, and possession with intent to distribute, controlled  
 16 substances, in violation of 21 U.S.C. § 841(a)(1);

17 b. Conspiracy to distribute controlled substances, in violation of 21  
 18 U.S.C. § 846.

### 19 **III. PROBABLE CAUSE TO QUERY THE FACIAL RECOGNITION SYSTEM**

20 8. On September 18, 2015, investigators with the Southwest Washington  
 21 Interagency Gang Enforcement Team (SWIGET) responded to a shooting in the vicinity  
 22 of Fourth Plain Boulevard and Grand Boulevard in Vancouver, Washington. Subsequent  
 23 investigation of the shooting resulted in a search warrant being executed at 2326 Neals  
 24 Lane, Vancouver, Washington, the residence of MAGANA.

25 9. During a search of the residence, among other items, approximately 5.9  
 26 pounds of suspected heroin, a significant amount of U.S. currency, firearms, numerous  
 27 cellular telephones, and other evidence of drug distribution was recovered.  
 28

1        10. Also located was a Washington State Driver License, WDL number (#)  
2 SANCHSM2265B, in the name of SOSTENES MONTOYA-SANCHEZ. The  
3 photograph on this license is the same individual known to investigators as IGNACIO  
4 MAGANA, aka "Nacho."

5        11. As the search of his residence was being conducted, MAGANA, who was  
6 initially present, left the search location. Subsequently, your affiant has received  
7 information from recorded jail conversations between a juvenile son of MAGANA, and  
8 MAGANA's wife Hermila Valencia, that MAGANA, referred to as both "Dad" and  
9 "Chaves" during the jail calls, is possibly staying in motels in and around Vancouver,  
10 Washington. Valencia also confirmed that "Chaves" (*i.e.*, MAGANA) had spent time  
11 with his children during the weekend of October 10th, 2015.

12        12. During a separate conversation, the juvenile son tells Valencia he heard  
13 they found "stuff" in the house. Valencia acknowledges the statement and advises the  
14 juvenile she will tell him about it when he gets out. Both the juvenile son and Valencia  
15 were living in 2326 Neals Lane, Vancouver, Washington, on the date of the search. It is  
16 therefore likely the conversation pertains to the drug evidence recovered from the  
17 location of the search.

18        13. Based on the evidence recovered from the search location, MAGANA is  
19 suspected of involvement in the distribution of large quantities of illegal drugs. Further,  
20 it is probable that MAGANA, like his family members, is aware of the drug evidence  
21 having been recovered by law enforcement at his residence and is therefore likely to  
22 make an attempt to obscure his identity in order to prevent detection and location while  
23 he is under investigation.

24        14. On November 3, 2015, your affiant learned that Valencia and her five  
25 children have moved into an apartment at a new location in Vancouver, Washington.  
26 Investigators believe MAGANA will also remain in the local area in order to maintain  
27 contact with his family.

1        15. Another reason investigators suspect MAGANA will remain in the  
2 Vancouver, Washington area is based on the evidence recovered during the previously  
3 mentioned search. The five-plus pounds of heroin and packaging materials seized from  
4 MAGANA's Vancouver residence indicate that his distribution of heroin in the area is  
5 significant. Generally, traffickers distributing such large quantities of heroin have well-  
6 established networks that rely on a steady supply of illegal drugs. In order to repay any  
7 debts incurred by the seizure of the illegal drugs at his residence, and to continue to  
8 supply the established network and collect proceeds, it will be necessary for MAGANA's  
9 distribution operation to remain active. This therefore increases the likelihood of  
10 MAGANA himself staying in the area.

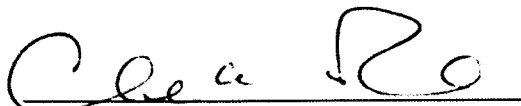
11        16. In order to support the investigation, it is requested the Washington State  
12 Department of Licensing utilize their ability to conduct a Facial Recognition query in  
13 order to identify any current Washington State driver license, or other identification,  
14 which may have been issued to MAGANA in the last few years. Based on the recovery  
15 of the WDL in the name of MONTOYA-SANCHEZ, MAGANA is known to possess  
16 knowledge on how to obtain an illegitimate license. A false identity will allow  
17 MAGANA to "hide in plain sight" while presumably continuing to distribute illegal  
18 narcotics through his established network.

19        17. Any information derived from additional identification(s) issued to  
20 MAGANA by the Washington State DOL may assist investigators in locating MAGANA  
21 and collecting evidence of his criminal activity.

22 **IV. CONCLUSION**

23        18. I am seeking a search warrant commanding the appropriate person to search  
24 the computer databases and archives of the Washington State Department of Licensing  
25 through their Facial Recognition System for any Washington Driver license, instruction  
26 permit, or identification card images that are similar to the individual pictured in WDL  
27 photo(s) # MAGANI\*234JE and SANCHSM226B5, attached hereto as Attachment A.  
28

1 I submit there is probable cause to believe that the requested search of the Washington  
2 State DOL Facial Recognition System will assist law enforcement authorities in locating  
3 and arresting IGNACIO MAGANA for his criminal activity, specifically trafficking of  
4 controlled substances, in violation of 21 U.S.C. §§ 841(a)(1) and 846.

5  
6  
7   
8 CHARLES ROUNDS  
9 Special Agent  
10 Federal Bureau of Investigation

11  
12 The above-named agent provided a sworn statement attesting to the truth of the  
13 contents of the foregoing affidavit on the 22<sup>nd</sup> day of December, 2015.

14  
15  
16   
17 DAVID W. CHRISTEL  
18 United States Magistrate Judge  
19  
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21  
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27  
28

**ATTACHMENT "A"**

Two photographs, labeled as:

MAGANI\*234JE (Ignacio Magana)

SANCHSM226B5 (Sostenes Montoya-Sanchez)

## Department Of Licensing – IDL System

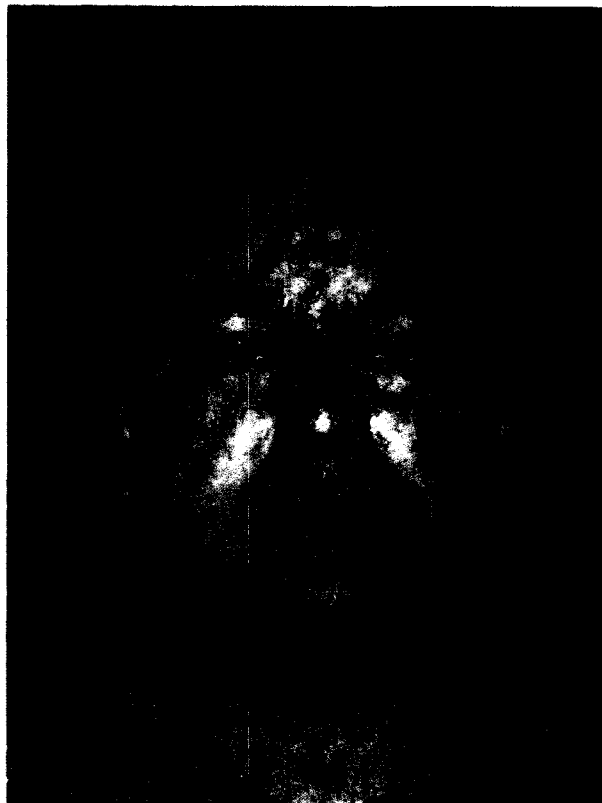


*Ignacio Magana*

Picture Number: MAGANI\*234JE  
Control Number: 32131035H1028  
Name: MAGANA MONTES,IGNACIO  
Production Status: Mailed - 04-17-2013  
Issue Date: 04-13-2013  
Report Date: Nov 3, 2015 11:24:30 AM



## Department Of Licensing – IDL System



SOSTENES M. Sanchez

Picture Number: SANCHSM226B5  
Control Number: 22090445J1401  
Name: SANCHEZ,SOSTENES MONTOYA  
Production Status: Mailed - 02-17-2009  
Issue Date: 02-13-2009  
Report Date: Dec 1, 2015 2:40:38 PM